IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 15624 of 2004

Between:

C. Rama Krishnaiah, Hindu, S/o Siddaiah, R/o D.No. 6-2-167,
Thyagaraja Nagar, Tirupati, Chittoor District.

..... PETITIONER

AND

1 The State of A.P. rep. by its Secretary, Home Department,
Secretariat Building, Saifabad, Hyderabad.
2 The Director General of Police, A.P. Hyderabad.
3 The Superintendent of Police, Chittoor District.
4 The Addl. Superintendent of Police, Tirupati, Chittoor District.
5 The Sub Inspector of Police, Alipiri, Tirupati, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of mandamus declaring that the interference of Respondents 4 and 5 in the civil dispute between the petitioner and his tenants on the one hand and P. MuraliKrishna and S. Pramod Kumar on the other hand is illegal, unjust and unconstitutional.

Counsel for the Petitioner: MR.P.V.VIDYASAGAR (Not present)

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following :

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ORDER:

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None appears for the petitioner. Heard the learned Government Pleader for Home appearing on behalf of the respondents.

This writ petition is filed seeking to declare the action of respondent Nos.4 and 5 in interfering in the civil dispute between the petitioner and his tenants on the one hand, and one P. Murali Krishna and S. Pramod Kumar on the other, as illegal and unjust.

A counter-affidavit is filed on behalf of respondent Nos.3 to 5 denying the averments made in the affidavit filed in support of the writ petition. It is stated that based on a written complaint given by the petitioner on 20-8-2004 at 1.00 p.m., a case in Cr.No.197 of 2004 was registered against one Murali Krishna and others and the same is under investigation, and based on another complaint of the petitioner made on 20-8-2004 at 5.45 p.m., another case in Cr.No.199 of 2004 was registered against the said Murali Krishna and others and the same is also under investigation. The allegation that no action has been taken by respondent No.5 on the complaint of the petitioner is false and baseless. It is stated that there is no truth in the contention of the petitioner that respondent Nos.4 and 5 have been interfering in the civil disputes of the petitioner and taking sides with P. Murali Krishna. It is stated that respondent No.5 and any other police authority including respondent No.4 have nothing to do with the civil disputes between the petitioner and third parties.

In view of the above averments in the counter-affidavit filed on behalf of respondent Nos.3 to 5, no further orders are required to be passed in this writ petition. Accordingly, the writ petition is closed. No costs.

N.V. RAMANA, J

Date: 26-4-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Home Department, Govt. of A.P.,
Secretariat Building, Saifabad, Hyderabad.
2 The Director General of Police, A.P. Hyderabad.
3 The Superintendent of Police, Chittoor District.
4 The Addl. Superintendent of Police, Tirupati, Chittoor District.
5 The Sub Inspector of Police, Alipiri, Tirupati, Chittoor District.

6 Two Ccs. to the Government Pleader for Home, High Court Buildings,
A.P., Hyderabad (OUT).

7 Two CD copies

8 One CC to MR.VIDYASAGAR

*Form-NIC-OGS/WP{**AVLR**}*